

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

LISA PENNICK,

Plaintiff

v.

MICHELE GRENNON, GRENNON DESIGN

Defendants

Civil Action No: 05-CV-11060-WGY

**INITIAL DISCLOSURES OF MICHELE GRENNON AND GRENNON DESIGN
PURSUANT TO RULE 26 OF THE FEDERAL RULES OF CIVIL PROCEDURE**

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure and Local Rule 26.2(A), Defendants Michele Grennon and Grennon Design ("Grennon"), acting by and through her attorneys, hereby makes her Rule 26(a)(1) initial disclosures and provides the following information:

Grennon states that her investigation and discovery in this matter are continuing and that the information disclosed herein is based solely on the information currently known and available to her.

1. Rule 26(a)(1)(A): In addition to the individuals identified by Plaintiff in Plaintiff's Automatic Disclosures Pursuant to Local Rule 26.2(A), which individuals are incorporated herein by reference, upon current information and belief, Grennon identifies the following individuals or entities who are likely to have discoverable information relevant to disputed facts alleged with particularity in the pleadings:

- (a) Michele Grennon
98 Beach Hill Road
New Castle, New Hampshire 03854

(603) 436-6351

Ms. Grennon has information relating to the design and renovation of her home at 98 Beach Hill Road, New Castle, New Hampshire (the "Project"), the hiring of various people, including Pennick, in conjunction with the Project, the selection, source, and purchase of goods used in the Project, the work done by Pennick and others on the Project, the article in Accent on Home and Garden magazine and the New Castle Media Room entry for the Luxury Living awards, and her design work.

(b) Brendan McNamara
19 Doe Drive
Eliot, ME 03903
(207) 439-3521

Mr. McNamara was the residential designer for the Project and worked on the Project from before Pennick was hired until the project's completion. Mr. McNamara is familiar with the design of the Project, the people who worked on the project, and the selection, source and purchase of goods used in the Project. Mr. McNamara is also familiar with how sketches, drawings, finish schedules, and other plans and layouts were generated for the project and the source of the ideas for the design. Mr. McNamara has information concerning Pennick's role on the Project, and may have information concerning her work on other projects as well.

(c) Ben Auger
Auger Building Company
1001 Islington Street
Portsmouth, NH 03801
(603) 430-9004

Auger Building was the contractor for the Project and worked on the Project from before Pennick was hired until the project's completion. Mr. Auger is familiar with the design of the Project, the people who worked on the project, and the selection, source and purchase of goods used in the Project. Mr. Auger is familiar with Pennick's work and her contributions to the

project. Mr. Auger is familiar with a reception that was held in March of 2005 at Michele Grennon's home, an article by Accent on Home and Garden Magazine about the project, pictures taken at the project and the entry of the New Castle Media room in the Luxury Living awards.

(d) Chris Proulx
Auger Building Company
1001 Islington Street
Portsmouth, NH 03801
(603) 430-9004

Chris Proulx was the project manager for Auger Building company and was present at the project almost daily. Mr. Proulx has information concerning Pennick's work and her interactions with other professionals on the project.

(e) Andi Axman
Editor, Accent On Home and Garden
110 State Street
Portsmouth, NH 03801
603) 436-0391

Ms. Axman is the editor at Accent on Home and Garden and has information concerning the article that was published in the January/February issue of Accent on Home and Garden magazine about Michele Grennon's home.

(f) Nicole Goldman
Goldman Arts, Inc.
298 Commonwealth Avenue
Suite 101
Boston, MA 02113
(617) 247-3123

Ms. Goldman is the author of an article that was published in the January/February issue of Accent on Home and Garden magazine about Ms. Grennon's home and has information concerning the article.

(g) Christina Tassie
HomeWorks Media Group
399 Boylston Street

Boston, MA 02116
(617) 292-7320

Ms. Tassie is likely to have information concerning the rules for applying for the Luxury Living Awards and is likely to be familiar with the New Castle Media room team application for the Luxury Living awards.

(h) Erin Harris
7607 Rolling Meadows Lane
Huntersville, North Carolina, 28078
704-992-2122

Ms. Harris was Grennon's personal assistant and was present during the period of the Project and has information concerning financial matters regarding the Project and Lisa Pennick's role

2. Rule 26(a)(1)(B): Upon information and belief, those documents and tangible things known to Grennon at this time that may be relevant to the disputed facts alleged with particularity in the pleadings, except for those documents protected by the attorney-client privilege, the work product privilege or otherwise protected from disclosure, are available for inspection and copying, in the case of documents, by Plaintiff, on reasonable notice to Grennon, as follows:

- a. The home at 98 Beach Hill Road, New Castle, New Hampshire 03854 and its contents.
- b. Tile samples, fabric samples, wood trim and detail samples and other material samples.
- c. The application for the Luxury Living awards and related documents.
- d. Handwritten invoices from Lisa Pennick for goods purchased for the Project.

- e. Other invoices for goods and services on the project.
- f. Floor and detail plans of the Project.
- g. Pictures and sketches of design examples and ideas.
- h. Pictures of items selected for the Project.
- i. Plumbing fixture schedules.

3. Rule 26(a)(1)(C): Grennon seeks to recover lost profits and all costs and fees, including reasonable attorneys' fees, incurred in connection with this action.

4. Rule 26(a)(1)(D): Grennon has no insurance coverage relating to this claim.

Respectfully submitted,

MICHELE GRENNON AND
GRENNON DESIGN

By her attorneys,

McLANE, GRAF, RAULERSON &
MIDDLETON, PROFESSIONAL
ASSOCIATION

Dated: August 5, 2005

By: /s/ Eric M. Sommers

Eric M. Sommers, BBO #649611

Thomas J. Donovan, Pro Hac Vice

900 Elm Street

P.O. Box 326

Manchester, NH 03105

Tel: 603-628-1337

Fax: 603-625-5650

eric.sommers@mclane.com

Certificate of Service

Thomas E. Dwyer, Jr.
David A. Bunis
Jacob T. Elberg, Esq.
Dwyer & Collora, LLP
600 Atlantic Avenue
Boston, MA 02210

I hereby certify that on August 5, 2005, I caused to be served on the above-named counsel of record a copy of the forgoing Initial Disclosures via electronic transmission in accordance with the Court's Administrative Procedures for Electronic Case Filing.

/s/ Eric M. Sommers
Eric M. Sommers